matrimonial, he had the power to throw obstacles in the way of such marriages taking place. The monegar, in virtue of his position, wielded much power, and ruled the village as he pleased." In the old days, it is said, when he visited any village within his jurisdiction, the monegar had the privilege of having the best women or maids of the place to share his cot according to his choice. In former times, the monegar used to wear a silver ring as the badge of office, and some Badagas still have in their possession such rings, which are preserved as heirlooms, and worshipped during festivals. The term monegar is, at the present day, used for the village revenue official and munsiff.

I gather that each exogamous sept has its headman, called Gouda, who is assisted by a Parpattikāran, and decides tribal matters, such as disputes, divorce, etc. Fines, when inflicted, go towards feasting the tribe, and doing pūja (worship) to the gods. In the case of a dispute between two parties, one challenges the other to take an oath in a temple before the village council. A declaration on oath settles the matter at issue, and the parties agree to abide by it. It is the duty of the Parpattikāran to make arrangements for such events as the Heththeswāmi, Devvē and Bairaganni festivals, and the buffalo sacrificing festival at Konakkore. The Parpattikāran takes part in the purification of excommunicated members of the tribe, when they are received back into it, for example, on release from prison. The tongue of the delinquent is burnt with a hot sandal stick, and a new waist thread put on. He is taken to the temple, where he stands amidst the assembled Badagas, who touch his head with a cane. He then prostrates himself at the feet of the Parpattikāran, who smears his forehead with sacred ashes. It is, further, the duty of

2: Hockings E-4,5 (1962-1977) 1980
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622 shield the wrong-doers, but even to aid in the perpetration (Grigg, 1880, 411; Francis, 1908, 295).

661 622 The power and influence of the *manegar* was vastly greater in the last century than it now is: '... when he visited any village within his jurisdiction, the monegar had the privilege of having the best women or maids of the place to share his cot according to his choice'.[14] Girls were only one kind of bribe that might secretly be used to secure his sympathies: clothes and feasting were much commoner. The autocracy of these local officials is well illustrated by 'stories ... of a Monegar of one village who ordered an individual who had disobeyed his orders to be covered with a slab of stone' (Natesa Sastri, 1892, 831-832).

623 (657) Just as alien as the British notion of a headman's role was the idea of electing a council; and yet a supposedly elected *panchayat*[15] became the official organ of local government shortly after the First World War. (Its duties today are to provide certain facilities, notably the up-keep of roads and paths, water supply, community radio, maintenance of land records and birth and death registers, and the supply of information about governmental activity.) Despite the appearance of village *panchayats* and of a state police force in some villages, the organization of celebrations and the settlement of disputes have remained very much in the hands of the traditional headman, his festival committee and his council. Criminal cases should be reported to the police and are usually handled in a lawcourt, but civil and petty criminal cases can either be settled by the village council or by an official *panchayat* court.[16]

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692 This multiplicity of procedures exposes the Badagas to three different legal systems: their own indigenous one, still influential in establishing precedents; the present-day Badaga village council which settles disputes according to a majority opinion (an opinion voiced, however, by the headman and modified by the knowledge that the case may then be taken, together with the decision, before a court of law); and finally the increasingly popular hierarchy of government law courts.

## THE PRESENT AMBILEGAL SITUATION

With such a confusion of courts, officials, regulations and legal options, how does a Badaga choose which medium to use? The prime consideration is apparently not the seriousness of the

2: Hockings E-4,5 (1962-1977) 1980
AN50 Badaga AN50



622 624 capacity as village munsif [*manegar*] and Magistrate. He has to prepare reports, accounts, statements, etc., which it is necessary to put in writing . . .'; Madras, 1958, 1.

622 660 14. Thurston 1909, vol. I, 80. This unusual treatment was not obligatory and was rarely possible because a *manegar's* rounds were short and could not have kept him away from home at night. A *manegar* with a penchant for girls would quickly have lost his reputation.

623 15. The India-wide term for a village council. The distinction between civil and criminal law is made explicit in the *Indian Penal Code*, which in this matter closely follows English common law.

692 (623) 16. The *panchayat* members are supposedly elected every four years; their position is prestigeful but unpaid. The chosen representatives tend to be relatively well-educated but rarely village headmen. The powers of this court, which is at the lowest level in the hierarchy of lawcourts, are: '. . . to take cognizance of and try specified offences of a trivial nature and abetment of such offences committed within the local limits of their respective jurisdiction. Such offences are affray . . ., voluntarily causing hurt . . ., assault or using criminal force . . ., theft . . ., and mischief . . ., insult . . ., some nuisances . . ., and generally any other offence under the Indian Penal Code or any special or local law which is punishable with fine only or with imprisonment for a term not exceeding six months or with both.' Madras, 1958, 50.

692 622 17. It is supposedly the headman's duty to decide whether a case should be taken before a magistrate.

18. This case remained unsettled in 1975 (all names used are fictitious).

128 (159) 19. 'Satchit', 1940, 15; Dharmalingam, 1962; see Diagram 9. Just before his death H. B. Ari Gowder corrected what I have here written about his life.

578 (657) insults and personal grievances. As we shall see, the fact that in-group solidarity is so strongly manifested in disputes ostensibly between two individuals is a common psychological basis for the growth of Badaga factional divisions, which typically evolve out of family feuds.

554 631 (621) (565) Historically and to some extent socially the hamlet can be seen as an extension of its gentry, its founding family: Tuneri, for example, is said to be an important village because its headman is the most important of all Nilgiri headmen. This is an understandable position, for every resident of Tuneri is potentially more influential than people living in a hamlet with a relatively inferior headman. But Tuneri is also an unusually large village, and this fact gives it added prestige. In the same way that a family of the gentry used to increase in prestige by increasing its numbers, a hamlet can do likewise by an increase in population. This is simply because, in the traditional setting, the headman would receive more money gifts at the weddings of girls from his village, more income from fining his villagers, and the chance of a substantial "rake-off" when he collected grain to give to the Todas and Kurumbas at each harvest. This attitude finds clear expression in a Badaga saying: "If the number of his subjects increases, the headman of the village will become a big man."

631 •661 662 During the last century, before Badagas had started to use the British court system (there was only one magistrate's court in the Nilgiris), they were entirely dependent on their own headmen for favorable treatment in the hearing of disputes. In those days, whenever a headman visited another village, he could expect much more generous hospitality than he would receive today, since it might prove necessary later to look to him for support in a case. The hospitable treatment typically consisted of a big feast, to which was often added a night with whichever of the village girls he chose. Feasting, girls, cloth and money might also be

631 used prior to the hearing of a dispute to gain an adjudicating headman's favor.

661 Within prescribed limits, antisocial behavior is an individual's misfortune,
662 rather than a reflection on the character of his lineage or hamlet. In the case of
558 misbehavior by a member of the gentry, however, the prestige of his whole family
[565] is involved. Apart from the small minority -- perhaps five percent -- who belong to the gentry, as we have seen, wrong-doers are held responsible for their own acts and punishable for them. A family which contains a miscreant or a girl of loose morals will generally lose little prestige; for, as a proverb understandingly puts the matter, "In good soil the crop will grow better, and so will the weeds." For this reason the family of a man hanged for murder, for example, would still give him a respectful funeral and invite many guests (who would show no hesitation in coming). The same holds true in the case of a man who died as a Hindu after
558 having earlier been a Christian convert. If, on the other hand, any lineage pro-
613 duces more than two or three miscreants or notably loose women within a space of a few years, then the whole lineage does lose prestige and influence. The isolated case can be overlooked, but repeated delinquency within one lineage becomes difficult to pardon.

To summarize the chapter thus far: we have seen that an upper class of
565 families exists, consisting of certain patrilineal descendants of the Badagas who founded each settlement. These families provided the headmen and sometimes other functionaries; they still try to maintain an image of higher ethical standards and greater prosperity and power; but at the same time the entire family can be held responsible for the misdeeds of any member, whereas among other Badagas this is not usually so.